

#16/BM
12-12-98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Vuorinen et al

Serial No. 08/925,321

Filed: September 8, 1997

For: METHOD OF TREATING CELLULOSIC PULP

95 JAN 27 1998

PAT. & TRADEMARK OFF.

Atty. Ref.: 30-336

Group: 1330

Examiner: Alvo

JAN 29 PM 12:00
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January 27, 1998

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

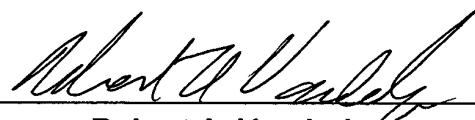
SUBMISSION OF SECOND VUORINEN DECLARATION

Further to the submission of November 5, 1997, enclosed herewith is a second Declaration of Tapani Vuorinen tending to establish the non-obviousness of the claimed invention. Early passage to issue is earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Vuorinen et al

Atty. Ref.: **30-336**

Serial No. **08/925,321**

Group: **1303**

Filed: **September 8, 1997**

Examiner: **Alvo**

For: **Method of Treating Cellulose Pulp**

Honorable Commissioner of
Patents and Trademark
Washington, DC 20231

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SECOND EVIDENTIARY DECLARATION OF TAPANI VUORINEN

Sir:

I, Tapani Vuorinen, hereby say and declare:

1. I am the same Tapani Vuorinen who executed the declaration dated March 6, 1997 in this case (in the parent application) and submitted on March 7, 1997.
2. I am familiar with the Maréchal paper which was submitted with the preliminary amendment of September 8, 1997 in this case. In my view of the Maréchal paper -- which I received from Professor Dominique Lachenal -- is indicative of the unobviousness of the claimed invention in this case.
3. The paper of Maréchal was first brought to my attention by Professor Dominique Lachenal during the International Symposium on Wood and Pulping Chemistry, June 9-12, 1997, Montreal. Professor Lachenal also informed one of my co-

inventors, Dr. Johanna Buchert, about the paper of Maréchal. In his letter to Dr. Buchert (June 17, 1997), Professor Lachenal points out that the paper of Maréchal "*has never been referred to by anybody*".

4. Maréchal did not verify how his acidic treatment could be coupled with bleaching of kraft pulps. The yields reported by Maréchal were 94.1-96.2% on pulp. Such low yields would mean that any possible savings in bleaching chemical costs (not shown by Maréchal) would be lost due to a reduced income from the pulp because the prices of cellulose pulps are based on weight.

5. In addition to the low yield, Maréchal pointed out that "*as expected the tear index was largely decreased*". The tear index was, indeed, only half of the tear indices of the reference pulps (Fig. 1), a commercially unacceptable result.

6. In my opinion (although I cannot speak on behalf of all scientists and pulping experts) the reason why the Maréchal paper "*has never been referred to by anybody*" is because one of ordinary skill in the art would be discouraged by the paper. The information about pulp yield and strength as it appears in the Maréchal paper are largely discouraging to anyone who would consider the acidic treatment of Maréchal as a possible stage in a pulp bleaching sequence, and provide a clear negative suggestion to do what Maréchal did.

7. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issuing thereon. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Tapani Vuorinen

Date: January 21, 1998